

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

TIMOTHY J. WILLIAMS,

Plaintiff,

$$V.$$

JO ANNE B. BARNHART,
COMMISSIONER OF SOCIAL SECURITY.

Defendant.

2:05-cv-00649-DRB
[WO]

ORDER ON MOTION

Submitted now is the *Defendant's Motion to Remand* and the supporting memorandum (Docs. 19 and 20, filed April 7, 2006). For good cause based upon the Appeal Council's determination that remand is appropriate for additional proceedings before an administrative law judge,¹ and based upon the absence of any objection to the requested remand,² it is hereby

ORDERED that the *Motion* (Doc. 19) is **GRANTED** and the decision of the Commissioner is **REVERSED AND REMANDED**, pursuant to *sentence four* of 42 U.S.C. §405(g) for further administrative proceedings.

The final judgment requested in the supporting memorandum will be entered.³

¹ Upon receipt of the remand order, the Appeals Council “will remand this case to the ALJ for further consideration of the opinion of Plaintiff’s treating physician, Patrick G. Ryan, M.D., who opined that Plaintiff could essentially perform sedentary work...In addition, the ALJ will be asked to give a function-by-function analysis of the RFC, and obtain supplemental vocational expert evidence, if warranted.” (*Def’s Mem.* at 1)(Doc. 20).

²Plaintiff did not file any response to show cause why the motion should not be granted as directed by this court's April 11, 2006 *Order* (Doc. 21).

³Entry of the final judgment reversing and remanding this case will begin the appeal period which determines the 30-day period during which time a timely application for attorney fees under

Done this 27th day of April, 2006.

/s/ Delores R. Boyd
DELORES R. BOYD
UNITED STATES MAGISTRATE JUDGE

the Equal Access to Justice Act may be filed. (*Def's Mem.* at 2).